

EXHIBIT A

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

August 26, 2010

Toby Lees
123 Point Road
Westhampton Beach, New York 11978

Dear Toby Lees:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim on BLMIS Account No. 1KW448 designated as Claim No. 002918 (the "Claim"):

Your Claim for securities is **DENIED**. No securities were ever purchased for your account.

Pursuant to conversations between my legal counsel, Nathan Ware, and Howard Lees, your representative, you agreed that the following related customer accounts would be viewed together for settlement purposes: (i) BLMIS Account No. 1KW126 titled Howard Lees, for which Claim No. 002898 was filed and determined pursuant to a Notice of Trustee's Determination of Claim dated February 19, 2010, and (ii) BLMIS Account No. 1KW448 titled Toby Lees, for which Claim No. 002918 was filed.

Pursuant to those discussions, you agreed to settle BLMIS Account Nos. 1KW126 and 1KW448 on the terms and subject to the conditions set forth in that certain Settlement Agreement, Assignment and Release enclosed herewith among Howard Lees, you and the Trustee.

¹ Section 78111(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78111(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

Pursuant to the terms of the Settlement Agreement, Assignment and Release, your Claim is **ALLOWED** for \$140,000.00 and will be satisfied in the following manner:

The enclosed **SETTLEMENT AGREEMENT, ASSIGNMENT AND RELEASE** must be fully executed, notarized and returned in the envelope provided herewith. Upon receipt of the fully executed and notarized **SETTLEMENT AGREEMENT, ASSIGNMENT AND RELEASE**, the Trustee will fully satisfy your **ALLOWED CLAIM** by sending you a check in the amount of \$140,000.00, with the funds being advanced by Securities Investor Protection Corporation pursuant to section 78fff-3(a)(1) of SIPA.

On March 1, 2010, the United States Bankruptcy Court for the Southern District of New York (Lifland, J.) issued a decision which affirmed the Trustee's Net Investment Method for determining customer claims. The final resolution of this issue is expected to be determined on appeal.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order, all as more fully set forth in the Settlement Agreement, Assignment and Release.



Irving H. Picard

Trustee for the Liquidation of the Business of
Bernard L. Madoff Investment Securities LLC

From: "Ware, Nathan" <NWare@bakerlaw.com>
Subject: BLMIS Account
Date: August 24, 2010 1:39:50 PM EDT
To: "llees129@gmail.com" <llees129@gmail.com>
1 Attachment, 31.0 KB

FOR SETTLEMENT PURPOSES ONLY

Per your request, please see the attached.

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Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC
Exhibit A

Account Information

Account Number: 1KW448

Name: TORY LEES

Account Transaction Detail

	Date	Type	Description	Amount	Adjusted Amount
Cash In	1/24/2007	Journal credit	TRANS FROM 1KW12833	\$1,319,200.00	1,319,200.00
	10/13/2007	Capital contribution	TRANS FROM 1KW12833	\$140,000.00	\$0.00
			Cash In Subtotal	\$1,459,200.00	\$1,319,200.00
Cash Out	3/26/2007	Capital withdrawal	CHECK	(\$175,000.00)	(\$175,000.00)
	7/16/2007	Capital withdrawal	CHECK	(\$65,000.00)	(\$65,000.00)
	4/17/2008	Capital withdrawal	CHECK	(\$101,000.00)	(\$101,000.00)
	6/4/2008	Capital withdrawal	CHECK	(\$30,000.00)	(\$30,000.00)
			Cash Out Subtotal	(\$371,000.00)	(\$371,000.00)
Total deposits less withdrawals for 1KW448 =				\$1,087,200.00	\$948,200.00